



MAIL STOP PETITION *DHe*
JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey A. Hermanson

Attorney Docket No.: ACDT-1-21676

Application No.: 10/655,559

Group Art Unit: 1732

Filed: September 4, 2003

Confirmation No. 6411

Title: SPIN FORMING OF HVAC DUCT REDUCERS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT -

NOTICE TO FILE MISSING PARTS NOT RECEIVED

Seattle, Washington 98101

December 15, 2004

TO THE COMMISSIONER FOR PATENTS

ATTN: OFFICE OF PETITIONS:

This is a Petition to Withdraw Holding of Abandonment for U.S. Patent Application No. 10/655,559 ("the '559 application") based on non-receipt of a Notice to File Missing Parts of Nonprovisional Application.

The petition fee of \$250 is included in our check No. 160061, attached. If any additional further petition fee is required, please charge the fee to Deposit Account No. 03-1740.

A response to the Notice to File Missing Parts of Nonprovisional Application is attached.

Further attached is a Declaration of Jerald E. Nagae, providing an adequate showing that the cause of the delay, and that the entire delay in filing the required response to the Notice to File Missing Parts of Nonprovisional Application from the due date for the response until the filing of a grantable petition under 37 C.F.R. 1.137(a) was unavoidable.

12/21/2004 AWONDAF1 00000003 10655559

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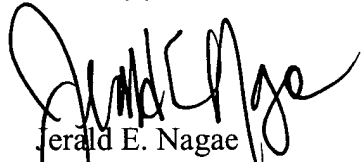
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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

Based on the foregoing, Applicant respectfully requests that the Holding of Abandonment be withdrawn and that prosecution of the present application be resumed.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Gerald E. Nagae
Registration No. 29,418
Direct Dial No. 206.695.1705

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: Dec. 15, 2004



JEN:hjd/skg

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MAIL STOP PETITION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey A. Hermanson

Attorney Docket No.: ACDT-1-21676

Application No.: 10/655,559

Group Art Unit: 1732

Filed: September 4, 2003

Confirmation No. 6411

Title: SPIN FORMING OF HVAC DUCT REDUCERS

DECLARATION OF JERALD E. NAGAE IN SUPPORT OF PETITION TO WITHDRAW

HOLDING OF ABANDONMENT BASED ON NOTICE TO FILE

MISSING PARTS OF NONPROVISIONAL APPLICATION NOT RECEIVED

Seattle, Washington 98101

December 15, 2004

TO THE COMMISSIONER FOR PATENTS:

The undersigned, Jerald E. Nagae, hereby declares as follows:

1. I, Jerald E. Nagae, am the prosecuting attorney of record for U.S. Patent Application No. 10/655,559, filed September 4, 2003, entitled, "SPIN FORMING OF HVAC DUCT REDUCERS."
2. This Declaration is being filed in support of a Petition to Withdraw Holding of Abandonment and pursuant to MPEP Section 711.03(c)(II).
3. On November 8, 2004, a Notice of Abandonment was received in the above-identified application on the basis of not responding to a Notice to File Missing Parts of Nonprovisional Application, which was said to have been issued on January 12, 2004.
4. I have searched the file, including a search of the file jacket and docket records for the above-referenced application, and confirm that the Notice to File Missing Parts of Nonprovisional Application of January 12, 2004, was not received by our office. It is our office's procedure to docket dates associated with all Office Actions received from the U.S. Patent and Trademark Office upon receipt, and prior to forwarding the Office Action to the assigned attorney.

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5. A true and correct copy of our docket records, where the non-received Notice of File Missing Parts of Nonprovisional Application would have been entered had it been received and docketed, is attached to this Declaration as Exhibit A. A copy of the file jacket for the above-referenced application, where a record of the receipt of the document would have been recorded had it been received, is attached as Exhibit B.
6. I did not know that a Notice to File Missing Parts of Nonprovisional Application had been mailed prior to November 8, 2004, and on information and belief, no one in our office was aware that the Notice to File Missing Parts of Nonprovisional Application was mailed prior to November 8, 2004.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

December 15, 2004
Date

Jerald E. Nagae
Jerald E. Nagae
Registration No. 29,418
Direct Dial No. 206.695.1705

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: Dec. 15, 2004

Hilda J. Delgrosso

JEN:hjd/skg

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USSN 10/655,559

Filed 9/4/2003

EXHIBIT A

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Docket Report

Client/Matter	Country	Title/ Client Attorney	Seq.	Action	Date Due	Attorneys
ACDT 1 0021676	US	Spin Forming HVAC Duct Reducers	2	Citation of References	12/4/2003	Matter Resp JEN Matter Asgn JEN
ACDT 1 0021676	US	Spin Forming HVAC Duct Reducers	4	Anniversary Letter	6/4/2004	Matter Resp JEN Matter Asgn JEN
ACDT 1 0021676	US	Spin Forming HVAC Duct Reducers	5	Convention Filing	9/4/2004	Matter Resp JEN Matter Asgn JEN
ACDT 1 0021676	US	Spin Forming HVAC Duct Reducers	6	Missing Parts?	12/4/2003	Matter Resp JEN Matter Asgn JEN

USSN 10/655,559

Filed 9/4/2003

EXHIBIT B

LAW OFFICES OF
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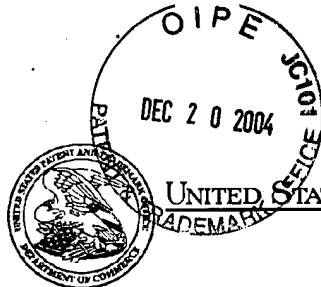
ASSOCIATE

ISSUED

DATE 9/4/03

FILING DATE: 11/11/2014

Skin Erosion



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/655,559	09/04/2003	Jeffrey Allen Hermanson	ACDT121676

CONFIRMATION NO. 6411

**ABANDONMENT/TERMINATION
LETTER**



OC000000014291741

26389
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

Date Mailed: 11/04/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/12/2004.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE